

**Zoning Committee Meeting
Tuesday, December 29, 2009 @ 6:30 PM**

ITEM #1

Application for a Special Permit under section 275-63 D (1) for the purpose of including a new parking area in the existing special permit for Porter & Chester Institute located at 1984 & 2024 Westover Road. Applicant: Travis Ward, 630 Silver St., Agawam, MA 01001.

ITEM #2

Application for a Special Permit under section 275-50 C (2) (c) for the purpose of continuing use of existing awning located at 95 School St. Applicant: Imran Manzoor, 1241 Elm St., Apt. 5C, West Springfield, MA 01089.

ITEM #3

Application for a Special Permit under section 275-50 for the purpose of modification of existing special permit to allow a digital billboard to be installed located at 374 Montgomery St. Applicant: Timothy A. Reilly attorney for L & D Chicopee, LLC, 73 Chestnut St., Springfield, MA 01103.

ITEM #4

ORDERED THAT the Home Occupation License for Ricky's Gun Room be called in before the Zoning Committee for review of the license.

ITEM #5

Ordinance Amendment – Add to Ch. 275 Sec. 50 B (1) (a) as follows: (a) Size. Temporary signs may not exceed 3 ft. by 3 ft. in any zone. Also Ch. 275 Sec. 50 B (1) (f) to be amended as follows: Notwithstanding the preceding, any temporary sign advocating for any political candidate may be placed no more than 30 days before any primary election. Petitioner: Councilor James Tillotson, City Council Office, 274 Front St.

ITEM #6

Minutes



CHICOPEE CITY COUNCIL
ZONING COMMITTEE

ACCEPTED

ZONING COMMITTEE MEMBERS

Jean Croteau, Chairman
Dino A. Brunetti, Vice-Chairman
James Tillotson
George Moreau
John Vieau
Fred Krampits
Donald Demers

MINUTES
December 29, 2009

The following are the minutes of a public hearing held Tuesday, December 29, 2009 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present Croteau, Brunetti, Krampits, Tillotson, Vieau, Moreau, Demers

Also Present Dan Garvey (City Solicitor), Kate Brown (Planning Director)

The meeting was called to order at 6:30 PM

ITEM #1

Application for a Special Permit under section 275-63 D (1) for the purpose including a new parking area in the existing special permit for Porter & Chester Institute located at 1984 & 2024 Westover Road.

Applicant Travis Ward, 63 Silver Street, Agawam, MA

Applicant was present. He stated that he wants more parking so students can park in the front of the building

Engineering Department

Conditional approval.

A storm water management plan must be submitted and approved by the D.P.W. before any construction begins.

Fire Department

Has no concerns as presented

Health Department

No concerns at this time

Restrictions

- 1.) Permit to run with the applicant
- 2.) Must obtain storm water management plan approval from D.P.W. before construction.

Committed vote 7 to approve.

ITEM #2

Application for a Special Permit under section 275-50 c (2) (c) for the purpose of continuing use of existing awning located at 95 School Street.

Applicant Imran Manzoor, 1241 Elm Street, Apt. #5 C, West Springfield, MA 01085

Applicant was present; he stated that the sign will stay the same just changing the name.

Fire Department

Provide the Fire Department with the fire retardant certificate for the awning fabric.

Engineering Department

Approval

Health Department

No Concerns at this time

PUBLIC INPUT

Joe Ryan, 76 Dwight Street, stated he was concerned about lighting, it's bigger than Maximum Capacity's light, and will there be restrictions.

Restrictions

- 1.) Must provide fire retardant certificate to Fire Department before approval.
- 2.) Sign must be turned off by 10:00 PM
- 3.) Ward Councilor to monitor sign brightness.

Committee vote 7 - 0 approve

ITEM #3

Application for a Special Permit under section 275-50 for the purpose of modification of existing special permit to allow a digital billboard to be installed located at 374 Montgomery St.

Applicant: Timothy A. Reilly, Attorney for; L&D Chicopee, LLC, 14 Vinsor Circle, Winchester, Ma

Applicant was present; he stated that the only change that will be made to the sign is replacing the vinyl face with a digital face. This has low potential to distract motorist. It also can be used as a public billboard for amber alerts, emergency messaging, missing persons and community events.

Fire Department

Installation of billboard must provide for Fire Department access.

Engineering Department

Approval

Health Department

No concerns at this time

Public Input Dave Cote 445 Montgomery St. stated that; the sign faces his house. When he sits in his backyard or looks out of his bedroom he looks right at the sign. He's concerned about the kind of advertising and if we will have to monitor it. Billboards in the neighborhood are not a good idea.

Restrictions

- 1.) Must continue to provide Fire Department access to billboard
- 2.) Must comply with facts stated in letter dated 11/12/09 from Atty. Timothy Reilly. Attached hereto and incorporated herein.
- 3.) Permit to run with the applicant.

Reasons for denial;

- 1.) Opposition from neighbor, changing messages
- 2.) Sign lit 24 hours - day and night.
- 3.) Concern for brightness of sign.
- 4.) New technology perhaps not the best location for the sign.

Committee vote 7 - 0 deny

Item #4

Ordered that the Home Occupation License for Ricky's Gun Room be called in before the Zoning Committee for review of the license.

Applicant not present

Councilor Tillotson questioned who holds the license the Father or the Son?

Councilor Croteau stated that a letter will be sent to his Attorney to notify the Committee as to when he returns and we can speak to him.

Mr. Kumors Daughter (Linda Shea) stated that her father owns the business and is in Florida, he comes back in April or May.

David Amo, 72 Fairview Drive stated that he is in favor of this gentleman's business. He's a good neighbor and he's licensed by the city.

Councilor Moreau motioned to table
Councilor Brunetti 2nd the motion
Motion passed

Item # 5

Ordained that the City Council, acting under the Provisions of Massachusetts General Laws as Amended. The City Charter, and of any and every power and authority it thereunto enabling, hereby amends Chapter 275, Section 50 as follows:

A New Chapter 275 Section 50 B (1) (a) is added as follows:

(a) Size. Temporary signs may not exceed three feet by three feet each side in any zone.

(b) Signs may be two sided.

Notwithstanding the preceding, any temporary sign advocating for any political candidate may be placed no more than 45 day before any primary election.

Committee vote 7 – 0 approve

Item #6

Minutes – for October 27, 2009 Accepted

Meeting adjourned at 8:29 P.M.